



US Army Corps  
of Engineers®

Nashville District

# Public Notice

Public Notice No. 06-12

Date: January 27, 2006

Application No. 200500433

Expires: February 27, 2006

Please address all comments to:  
Nashville District Corps of Engineers, Regulatory Branch  
3701 Bell Road, Nashville, TN 37214  
Attn: Floyd M. Carnes

**SUBJECT:** Proposed Discharge of Fill Material for Wetland Fill and Channel Encapsulation Associated with Office Building Construction on an Unnamed Tributary of Watson Branch Mile 2.5, Left Bank, Harpeth River Mile 89.2, Left Bank, Williamson County, Tennessee

**TO ALL CONCERNED:** The application described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 404 of the Clean Water Act (CWA)**. Before a permit can be issued, certification must be provided by the State of Tennessee, Division of Water Pollution Control, Department of Environment and Conservation, pursuant to Section 401 (a)(1) of the CWA, that applicable water quality standards will not be violated.

**APPLICANT:** Curd Associates, LLC  
621 Bradley Court  
Franklin, Tennessee 37067

**LOCATION:** Unnamed Tributary of Watson Branch Mile 2.5, Left Bank, Harpeth River Mile 89.2, Left Bank, Williamson County, Tennessee.  
USGS FRANKLIN, TENN. Quadrangle, Longitude: 86-49-0.6; Latitude: 35-55-5.8

**DESCRIPTION:** The proposed work consists of the discharge of fill material into 0.65 acres of wetland at the subject location. In addition, approximately 525-feet of the unnamed tributary to Watson Branch would be encapsulated. The applicant proposes to encapsulate the unnamed tributary by culvert measuring 525' x 20' x 4'. The culvert would be open bottom lined with class C riprap.

The applicant proposes to mitigate the wetland impacts by purchasing wetland credits at the Harpeth Wetland Mitigation Bank. The applicant would purchase 1.30 acres of wetland mitigation credits, which is a 2:1 ratio. In addition, the applicant proposes to mitigate for the stream loss through the Tennessee Wildlife Resources Foundation In-Lieu-Fee Stream Mitigation Program.

The purpose of the wetland fill and channel encapsulation would facilitate the construction of a proposed office building.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

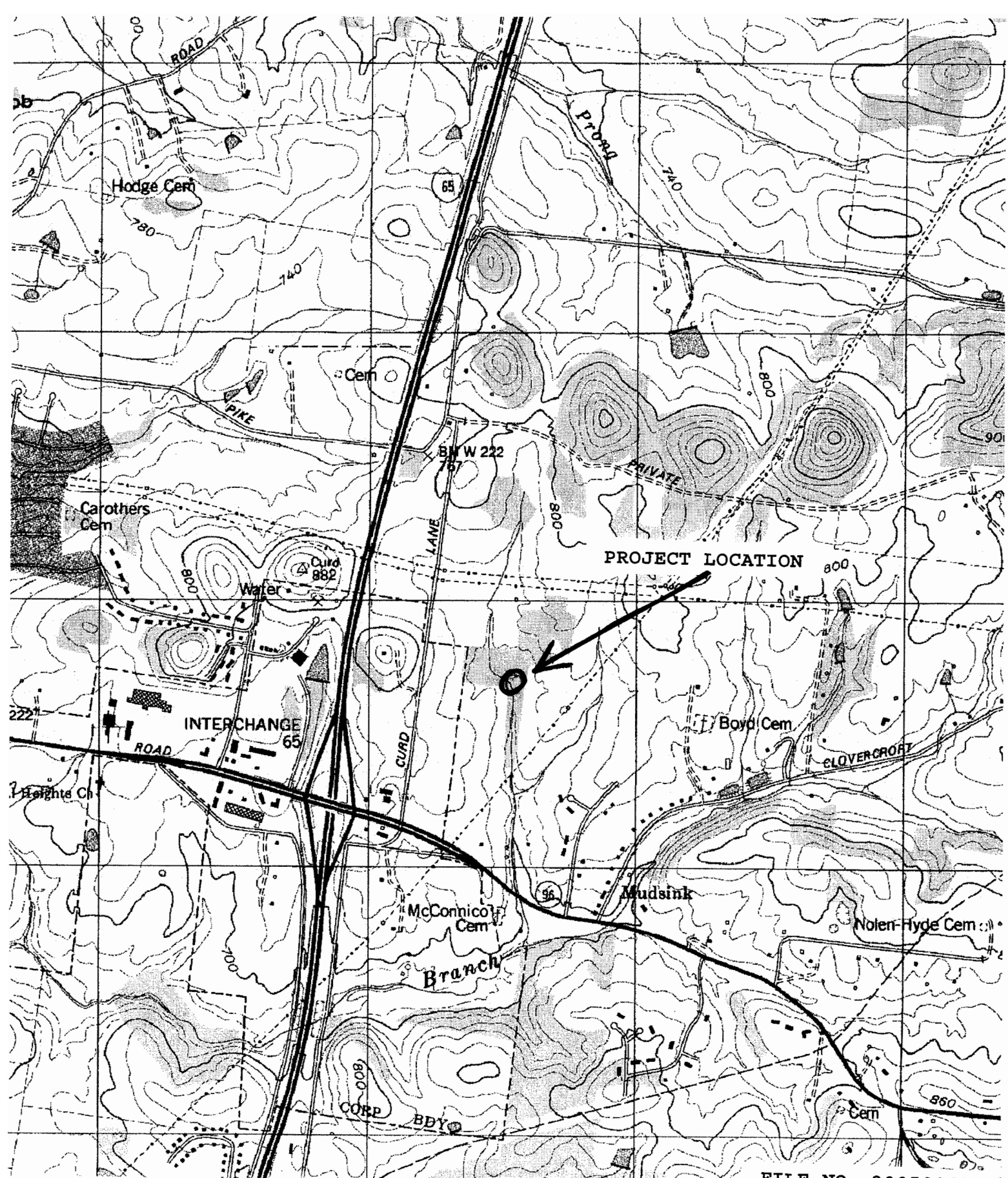
The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before **February 27, 2006**, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Floyd M. Carnes, at the above address, telephone (615) 369-7503.

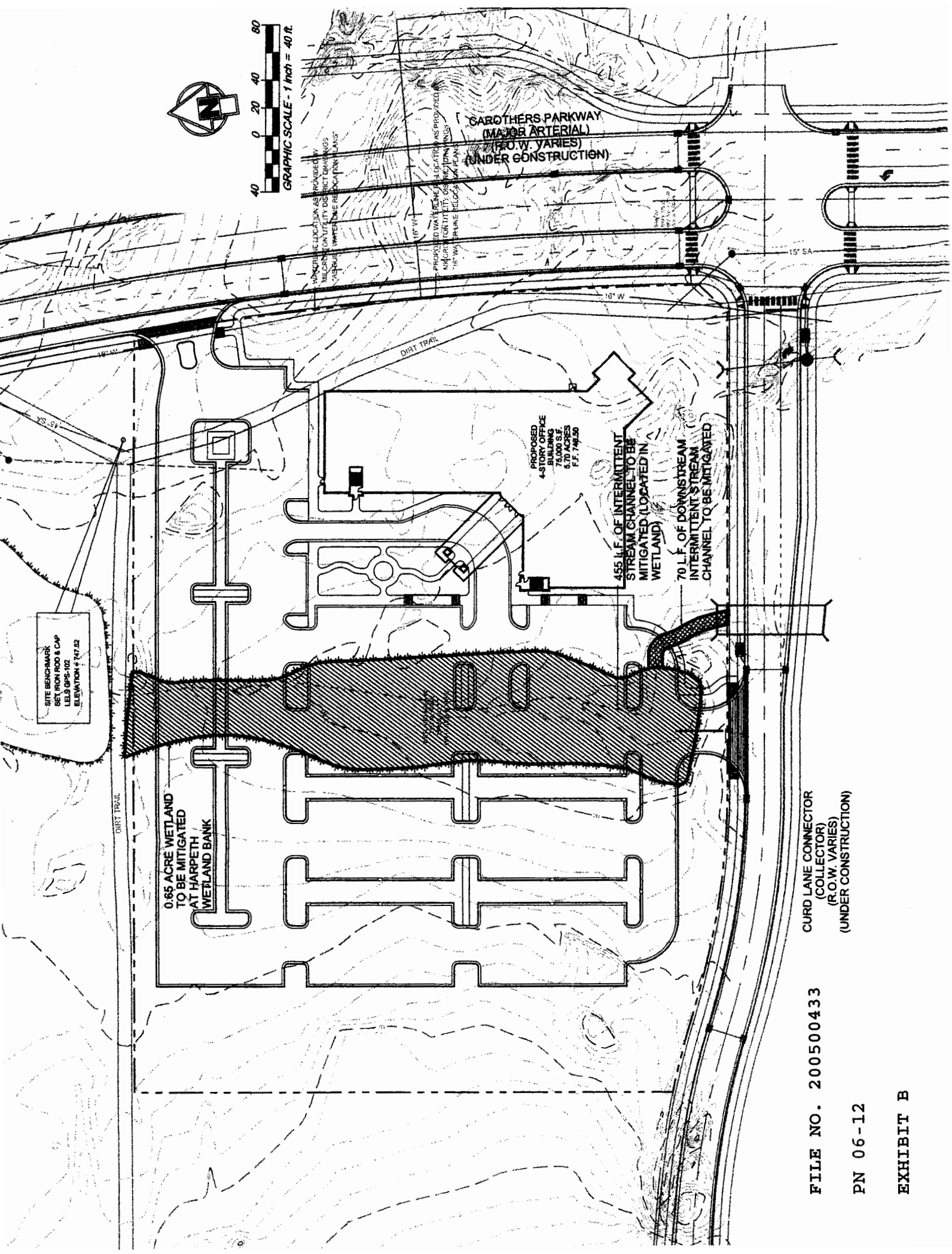


USGS TOPOGRAPHICAL MAP  
FRANKLIN, TN

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EXHIBIT A

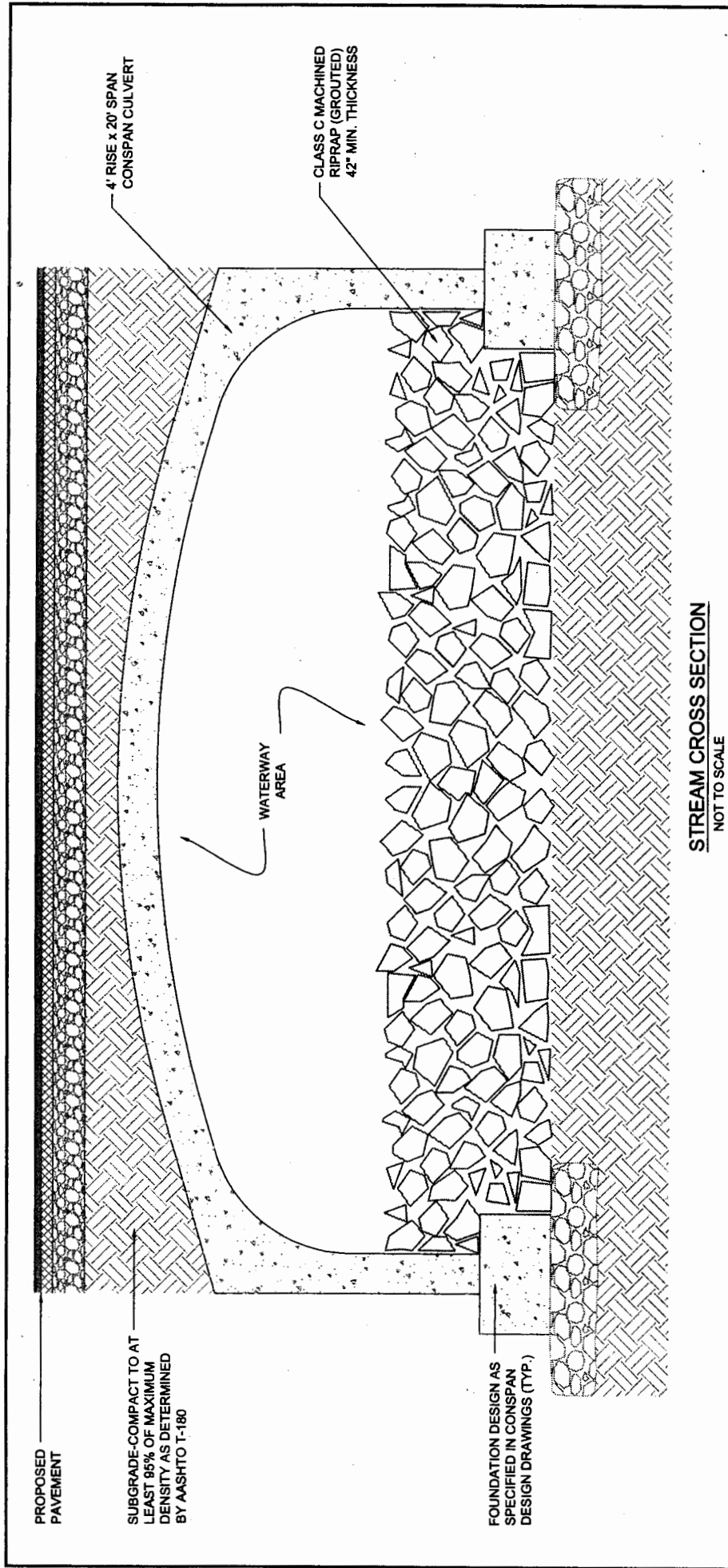


CURD LANE CONNECTOR  
(COLLECTOR)  
(R.O.W. VARIES)  
(UNDER CONSTRUCTION)

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EXHIBIT B



FILE NO. 200500433

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EXHIBIT C